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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,131	12/15/2003	Joseph A. Russo	LOT920030069US1 (023)	5725
46321	7590	04/30/2008	EXAMINER	
CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP			LIN, WEN TAI	
STEVEN M. GREENBERG			ART UNIT	PAPER NUMBER
950 PENINSULA CORPORATE CIRCLE				2154
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/737,131	<b>Applicant(s)</b> RUSSO ET AL.
	<b>Examiner</b> Wen-Tai Lin	<b>Art Unit</b> 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on **24 March 2008**.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) **1-10** is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) **1-10** is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

1. Claims 1-10 are presented for examination.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

### ***Claim Rejections - 35 USC § 102***

3. Claims 1-9, 11-19 and 21-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Olivier [U.S. Pat. No. 6480885].

4. Olivier was cited in the previous office action.

5. As to claim 1, Olivier teaches the invention as claimed including: a method for managing member enrollment in a collaborative computing community [e.g., col.14 line 55 – col. 15 line 21; col. 17 lines 7-39], the method comprising:

identifying one or more end user persons for enrollment in the collaborative computing community [e.g., Abstract];

implementing an enrollment model to determine whether to enroll the one or more identified end user persons as members in the community; and updating community membership

to enroll the one or more end user persons based on the implemented enrollment model. [e.g., col.10, lines 43-59. Note that here the residence distance and age range form an enrollment model for determining members of a neighborhood community].

6. As to claim 2, Olivier further teaches that implementing an enrollment model includes designating one or more community members as administrators with the authority to grant enrollment to the one or more end user persons [e.g., Fig. 8; col.10, lines 43-59; i.e., the user who initiate a mailing list for certain activity or topical discussion is an administrators having the authority to determine the members to be included in the specific mailing list by adjusting the parameters of the enrollment model].

7. As to claim 3, Olivier further teaches that including providing the one or more community members with the ability to remove a community member from the community [e.g., col.14, lines 40-44].

8. As to claim 4, Olivier further teaches that implementing an enrollment model to determine whether to enroll the one or more identified end user persons as members in the community includes:

identifying one or more criteria for defining a role in the collaborative computing community [e.g., 242-246, Fig.2];

obtaining role profiles for each of the end user persons [e.g., 202, Fig.2; 306, Fig. 3A];  
and

determining if one or more role profiles match the one or more criteria [e.g., 234, Fig.2; Fig.4; col.5, lines 51-67].

9. As to claim 5, Olivier further teaches that the one or more criteria for defining a role in the collaborative computing community includes payment of a predetermined fee [e.g., col.20, lines 13-16].

10. As to claim 6, Olivier further teaches that implementing an enrollment model includes providing one or more of the end user persons with the ability to grant enrollment to themselves [e.g., col. 11, lines 47-57; col.23, lines 38-56; i.e., each potential candidate is given the ability to grant enrollment to themselves by specifying one-way or mutual acceptance criteria].

11. As to claim 7, Olivier teaches that the method further includes providing the one or more end user persons with the ability to remove themselves from the community [e.g., col. 14, lines 16-19].

12. As to claim 8, The Olivier further teaches that implementing an enrollment model includes designating one or more community members as a sponsor member [i.e., users who establish subscriptions to an electronic mailing list] having privileges, the sponsor member granted a further privilege of sponsoring one or more of the end user persons for community membership [e.g., screen other users] as a sponsored member [i.e., users who subscribes the mailing list], wherein the sponsored member is granted enrollment in the community with privileges equal or less than the privileges of the sponsor member [Abstract: lines 3-9; note that

the sponsor member is also in the same mailing list, enjoying the same privileges as the sponsored members, in addition to the privilege of “screening other users”].

13. As to claim 9, Olivier further teaches that the sponsored member is enrolled as a community member if voted into the community [e.g., col. 14 line 55 – col. 15, line 2; i.e., a sponsored member can be to become one of the moderators].

***Claim Rejections - 35 USC § 103***

14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olivier [U.S. Pat. No. 6480885], as applied to claims 1-9 above.

15. As to claim 10, Olivier does not specifically teach that the sponsored member is enrolled as a community member after the passage of a predetermined amount of time. However, Olivier teaches that approving all new members can be done via email or web-based approval mechanism [e.g., col.15, lines 61-64] (which typically incurs some processing time before a decision can be made) and that when approval is not received within 14 days, the subscriber is automatically rejected by the system [col.17, lines 12-20] (which takes out some uncertainty that a subscriber might experience). Further, it is typical in an approval mechanism of foretelling a subscriber to wait for certain fixed amount of time to receive a notification.

It would have been obvious for an ordinary skill in the art to have included in Olivier’s subscriber approval process a fixed amount of waiting time because it allows the subscribers to

anticipate when a decision would be available, thereby reducing the uncertainty that the subscriber might experience in the approval process.

16. Applicant's arguments filed on 3/7/08 for claims 1-10 have been fully considered but they are not deemed to be persuasive.

17. Applicant argues in the remarks that: Olivier does not teach the features of a collaborative computing community, as being defined in paragraph 0005 of Applicant's specification. Specifically, Applicant points out that, among the four defined features of a collaborative computing community, Olivier does not teach: (i) a set of roles for members and resources; and (ii) tools which can be accessed by the membership in furtherance of the objective of the environment.

18. The examiner respectfully disagrees. With respect to features mentioned in (i) and (ii), Applicant is directed to col.14 line 55 – col. 15 line 21, wherein Olivier teaches that a member may volunteer to be a moderator functioning as a human filter for inappropriate messages, scanning for “spasm”, and other messages that shouldn't be sent to the subscribers. At col.17 lines 7 – 20, a special role called “approval user” is described in forming a professional jazz team. Throughout the entire disclosure, various resources and tools are also made available for operating Olivier's collaborative computing community. For example, spam filtering and language translation tools are described at col. 17, lines 21 – 39. Servers functioning at different stages of community activities are depicted in Fig. 7 and its related passages. All of which can be accessed by the membership in furtherance of the objective of the environment.

It is further noted that some of the role-assuming process in Olivier's community groups is implicit and left to the group to assign among themselves at the time of forming a group. Use the neighborhood singing group in Fig. 9 as an example, it is clear that there may be assigned different roles in a typical chorus such as singing members, pianist, coordinator/conductor, etc.

For at least the foregoing reasons, it is submitted that Olivier reads on the claims.

19. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

**Examiner note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from

the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires/draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

April 27, 2008

/Wen-Tai Lin/

Primary Examiner, Art Unit 2154

